

## Message Text

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ORIGIN ORM-03

INFO OCT-01 EUR-25 IO-14 ISO-00 SR-02 VO-03 SCA-01 INSE-00

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 /123 R

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ORM - MR. DAWSON

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R 022157Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

INFO USMISSION GENEVA

AMCONSUL FRANKFURT

C O N F I D E N T I A L STATE 066092

E.O. 11652: GDS

TAGS: PFOR, SREF, BE, CVIS

SUBJECT: RESETTLEMENT ASSISTANCE TO SOVIET RUSSIAN, SOVIET

BALTIC AND OTHER ASYLUM SEEKERS

REF: BRUSSELS 1828

1. FOLLOWING MAY BE OF ASSISTANCE TO EMBASSY IN DEALING WITH ASYLUM CASES ARISING IN BELGIUM. US MISSION GENEVA AND DEPARTMENT ARE COLLABORATING ON MESSAGE TO ALL DIPLOMATIC AND CONSULAR POSTS DESCRIBING VARIOUS FORMS OF ASSISTANCE AVAILABLE. THIS TELEGRAM, THEREFORE, WILL PROVIDE INTERIM GUIDANCE. THE FOLLOWING DOES NOT APPLY TO DEFECTORS BUT TO THOSE WHO APPEAR TO BE REFUGEES.

2. THE US DOES NOT RECOGNIZE DIPLOMATIC ASYLUM AS PRACTISED BY MANY COUNTRIES. EMBASSIES ARE AUTHORIZED TO OFFER TEMPORARY REFUGE TO AN ASYLUM SEEKER IF HIS LIFE OR  
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SAFETY ARE IN IMMINENT DANGER. SUCH PROTECTION CAN BE

AUTHORIZED BY THE EMBASSY BUT CAN BE TERMINATED ONLY WITH APPROVAL OF DEPARTMENT. THE US HOLDS THAT THE GRANTING OF ASYLUM IS THE RIGHT AND RESPONSIBILITY OF THE COUNTRY IN WHOSE TERRITORY THE REQUEST IS MADE -- IN THIS CASE BELGIUM. AS SIGNATORY TO THE CONVENTION RELATING TO THE STATUS OF REFUGEES, BELGIUM HAS ASSUMED THE SAME OBLIGATIONS FOR THE WELFARE AND SAFETY OF REFUGEES AS HAS THE UNITED STATES WHICH HAS ACCEDED TO THE PROTOCOL RELATING TO THE STATUS OF REFUGEES WHICH INCORPORATED THE SUBSTANTIVE PROVISIONS OF THE CONVENTION. SUCH OBLIGATIONS INCLUDE THOSE WHICH PROHIBIT THE RETURN OF A REFUGEE TO ANY COUNTRY IF HE FACES A THREAT TO HIS LIFE OR FREEDOM ON ACCOUNT OF RACE, RELIGION, NATIONALITY, POLITICAL OPINION, OR MEMBERSHIP IN A PARTICULAR SOCIAL GROUP.

3. THEREFORE, ALTHOUGH WE RECOGNIZE THAT SITUATIONS MAY VARY FROM CASE TO CASE, CONTACT WITH BELGIAN AUTHORITIES IS LOGICAL FIRST STEP TO ARRANGE FOR POSSIBLE ASYLUM IN BELGIUM. HOWEVER, IT IS POSSIBILITY OF U.S. RESETTLEMENT THAT USUALLY BRINGS ASYLUM SEEKER TO EMBASSY IN THE FIRST PLACE AND THE FOLLOWING INFORMATION MAY BE GIVEN TO THE INDIVIDUAL:

(A) NO ADVANCE COMMITMENT CAN BE GIVEN ON ELIGIBILITY OF ASYLUM SEEKER FOR RESETTLEMENT IN THE UNITED STATES OR OTHER WESTERN COUNTRIES.

(B) IN ADDITION TO REGULAR APPLICATION FOR IMMIGRANT VISA, A REFUGEE FROM EASTERN EUROPE CAN APPLY FOR 7TH PREFERENCE BEFORE AN IMMIGRATION OFFICER IN CERTAIN EUROPEAN COUNTRIES - GERMANY (FRANKFURT), AUSTRIA, ITALY, GREECE. HE MUST DEMONSTRATE TO INS OFFICER THAT HE MEETS THE PROVISIONS OF SECTION 203(A)(7) OF THE INA AS WELL AS OTHER ELIGIBILITY PROVISIONS OF IMMIGRATION AND NATIONALITY ACT, INCLUDING SECTION 2L2(A)(28).

(C) THE UNITED STATES REFUGEE PROGRAM (USRP) ASSISTS IN RESETTLEMENT OF EASTERN EUROPEAN REFUGEES IN A WIDE VARIETY OF COUNTRIES (INCLUDING THE UNITED STATES). THIS PROGRAM IS ADMINISTERED BY THE REFUGEE AND MIGRATION UNIT AT US  
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MISSION GENEVA. THE PROGRAM WORKS THROUGH ACCREDITED VOLUNTARY AGENCIES (AMERICAN FUND FOR CZECHOSLOVAK REFUGEES, AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE, INTERNATIONAL RESCUE COMMITTEE, POLISH AMERICAN IMMIGRATION AND RELIEF COMMITTEE, TOLSTOY FOUNDATION, UNITED HIAS SERVICE, WORLD COUNCIL OF CHURCHES.) ALTHOUGH ALL HAVE OFFICES IN GENEVA, MOST MAY NOT HAVE OFFICES IN BRUSSELS. IF EMBASSY UNABLE CONTACT VOLAG DIRECTLY, US MISSION GENEVA CAN BE HELPFUL IN

ARRANGING FOR VOLAG ASSISTANCE TO A PROSPECTIVE REFUGEE. THE VOLAG CAN PROVIDE CARE AND MAINTENANCE, HELP IN ARRANGING RESETTLEMENT AND PROVIDE THE REASSURANCE THE REFUGEE MAY REQUIRE.

(D) THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) AND INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION (ICEM) CAN BE HELPFUL IN RESETTLEMENT. UNHCR SERVES ESPECIALLY IN PROMOTING ASYLUM AND INTERNATIONAL PROTECTION OF REFUGEES. UNHCR GIVEN SPECIFIED ROLE IN CONVENTION AND PROTOCOL OF SUPERVISING THEIR IMPLEMENTATION AND IN FACT ENJOYS PARTICULAR PRESTIGE IN BELGIUM WITH GOB. AGAIN US MISSION GENEVA MAINTAINS CLOSE CONTACT THERE WITH THESE TWO ORGANIZATIONS AND CAN HELP MUSTER UNHCR/ICEM ASSISTANCE.

4. US IS NOT ATTEMPTING COMPETE WITH OTHER COUNTRIES SUCH AS CANADA AND AUSTRALIA. CHANNELING REFUGEE INTO USRP IS PROBABLY BEST APPROACH AS RESETTLEMENT IN NUMBER OF COUNTRIES IS POSSIBLE. IN SUCH CASES GENEVA'S HELP IS EXTREMELY VALUABLE AND THIS IS ONE REASON DEPARTMENT REQUESTS THAT MISSION BE INFO ADDRESSEE ON ASYLUM MESSAGES. RUSH

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** REFUGEE RESETTLEMENT, POLITICAL ASYLUM, REFUGEE RELIEF, EMIGRANTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 APR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE066092  
**Document Source:** CORE  
**Document Unique ID:** 00  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Line Count:** 138  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ORM  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
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**Previous Handling Restrictions:** n/a  
**Reference:** BRUSSELS 1828  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 APR 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01 APR 2002 by boyleja>; APPROVED <05 JUN 2002 by golinofr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** RESETTLEMENT ASSISTANCE TO SOVIET RUSSIAN, SOVIET BALTIC AND OTHER ASYLUM SEEKERS  
**TAGS:** PFOR, SREF, CVIS, BE  
**To:** BRUSSELS  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005